

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-19 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections of the claims.

Reconsideration of Restriction Requirement

The Examiner is respectfully requested to reconsider his restriction requirement. Claims 1-19 were maintained in the PCT application as being directed to a single inventive concept. The Examiner is respectfully requested to act on all of the claims of the present application. Applicant does reserve the right to file divisional applications directed to the non-elected claims at a later date if he so desires.

Priority Under 35 U.S.C. § 120

The Examiner has not acknowledged Applicant's claim for priority under 35 U.S.C. § 120 to the earlier filed Provisional Patent Application and receipt of the certified priority document from the International Bureau. Acknowledgment thereof by the Examiner in the next Office Action is respectfully requested.

Information Disclosure Citation

Applicant thanks the Examiner for considering the references supplied with the Information Disclosure Statement filed October 3, 2007, and for providing Applicant with an initialed copy of the PTO-SB08 form filed therewith.

Specification Amendments

Applicant has amended the specification in order to correct minor typographical errors, and to place the specification in better form. The description of the embodiment of Figures 17-20 was amended to be consistent with the description of Figures 1-16. Also,

reference to the "locking portion" has been deleted from the claims, obviating a need to amend the specification.

Objection to the Drawings

The Examiner has objected to the drawings because they drawings did not have numerals 224, 226 and 232.

In order to overcome this objection, Applicant is concurrently submitting a Replacement Drawing Sheet for the Examiner's approval, which adds number 226. Numbers 224 and 232 have been deleted from the specification. Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claims 1-19 stand rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language not clearly understood.

In order to overcome this rejection, Applicant has amended claims 1 and 11 to correct each of the deficiencies specifically pointed out by the Examiner. Applicant respectfully submits that the amended claims 1 and 11 particularly point out and distinctly claim the subject matter which Applicant regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

The Examiner also stated that the cylindrical pin having a flat side positioned at a 90 degree angle to a cutting edge of a power tool was not clearly disclosed in the specification. The specification clearly discloses a pin having two flat sides, as best seen in Figure 19, allowing Applicant to claim a pin having a flat side.

Rejection Under 35 U.S.C. § 102

Claims 1, 2, 11 and 12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US 3,284,895 (Selander) or US 3,093,023 (Vail). These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

As set forth in claim 1, the present invention is directed to a combination of elements wherein a clamping tool for use with a power tool includes:

a housing adapted to be mounted on a power tool, said housing including at least one engaging portion;

a locking pliers having a retaining section with a proximal end and a distal end, said proximal end being adapted to be selectively, releasably mounted on the at least one engaging portion to selectively retain the locking pliers in a movable relationship relative to the housing and to selectively permit disengagement of the locking pliers relative to the housing; and

an engaging section of said locking pliers being pivotally mounted adjacent to the retaining section for selectively being locked relative to the retaining section of the locking pliers for positioning an article therebetween;

wherein when an article is locked relative to the retaining section and the engaging section of the locking pliers, the proximal end of said retaining section can be rotated relative to the housing to permit a power tool to come into engagement with an article while enabling the proximal end of the retaining section to be selectively, releasably disengaged from the housing thereafter.

As set forth in claim 11, the present invention is directed to a combination of elements wherein a clamping tool for use with a power tool includes:

a housing adapted to be mounted on a power tool, said housing including at least one engaging portion;

a locking pliers having a retaining section with a proximal end and a distal end, said proximal end being adapted to be selectively, releasably mounted on the at least one

engaging portion to selectively retain the locking pliers in a movable relationship relative to the housing and to selectively permit disengagement of the locking pliers relative to the housing; and

an engaging section of said locking pliers being pivotally mounted in an over-center relationship relative to a portion adjacent to the retaining section for selectively locking the engaging section of the locking portion relative to the retaining section of the locking pliers for positioning an article therebetween;

wherein when an article is selectively locked relative within the portion adjacent to the retaining section of the locking portion and the engaging section of the locking pliers, the distal end of said retaining section can be rotated relative to the housing to permit a power tool to come into engagement with an article while enabling the proximal end of the retaining section to be selectively, releasably disengaged from the housing thereafter.

As illustrated in Figs. 5-8 of the Selander et al patent, a clamp cutter is disclosed wherein the arm 28 is mounted on the housing 26 and is welded to the jaw P. The pliers K cannot be selectively, releasably mounted relative to the at least one engaging portion as set forth in the claims.

Similarly, the Vail patent is directed to a tool for cutting wherein the pressure shoe 36 is mounted relative to the handle 6. Again the pressure shoe 36 cannot be selectively, releasably mounted relative to the at least one engaging portion as set forth in the claims.

Conclusion

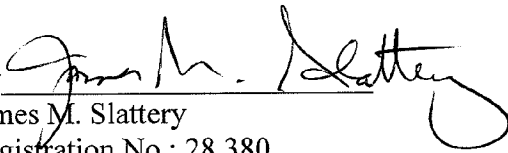
In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 
James M. Slattery
Registration No.: 28,380
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

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